

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CIVIL ACTION NO. 05-10095-RWZ**

**TIMOTHY P. KEARNEY, JR., PRO SE** )  
Plaintiff, )

v. )

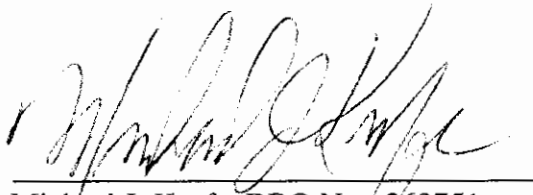
**THE MAY DEPARTMENT STORES** )  
a.k.a **FILENE'S, GREGORY** )  
**JACKSON, ERIC VAN DER VALK** )  
**AND SHAWN TUBMAN** )  
Defendants.

**MOTION OF DEFENDANTS TO ADMIT  
ATTORNEY MICHAEL FRANKLIN PRO  
HAC VICE**

Attorney Michael J. Keefe, a member in good standing of the Bar of this Court, and respectfully moves pursuant to Local Rule 83.5.3 that Attorney Michael Franklin, legal counsel to defendant, The May Department Stores a.k.a. Filene's, be permitted to appear and practice in this Court in the above-captioned matter as counsel for all of the defendants (The May Department Stores, a.k.a. Filene's, Gregory Jackson, Eric Van Der Valk and Shawn Taubman).

In compliance with the requirements of Local Rule 83.5.3, the affidavit of Attorney Franklin is submitted with this motion. In said affidavit, Attorney Franklin has certified that 1) he is a member in good standing of the bar of the State of Illinois, and the State of Missouri, the United States District Court for the Southern District of Illinois, and the United States District Court for the Eastern District of Missouri; and 2) there are no disciplinary actions pending against him as a member of the bar in any jurisdiction; and 3) he is familiar with and will conduct himself in accordance with the Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, the defendants, by their attorney, Michael J. Keefe, respectfully request that this Court grant this motion.

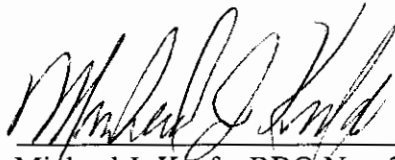
A handwritten signature in black ink, appearing to read 'Michael J. Keefe', written over a horizontal line.

Michael J. Keefe, BBO No. 263751  
Attorney for defendant,  
The May Department Stores a.k.a Filene's  
Martin, Magnuson, McCarthy & Kenney  
101 Merrimac Street, 7<sup>th</sup> Floor  
Boston, MA 02114  
617-227-3240

**CERTIFICATE OF SERVICE**

I, Michael J. Keefe, attorney for defendant, The May Department Stores a.k.a Filene's, hereby certify on the 26<sup>th</sup> day of May, 2005, I served a copy of the foregoing, by certified mail, return receipt request to:

Timothy P. Kearney, Jr., Pro Se  
100 Everett Street  
Arlington, MA 02474

A handwritten signature in black ink, appearing to read "Michael J. Keefe", is written over a horizontal line.

Michael J. Keefe, BBO No.: 263751  
Attorney for defendant,  
The May Department Stores a.k.a. Filene's  
Martin, Magnuson, McCarthy & Kenney  
101 Merrimac Street, 7<sup>th</sup> Floor  
Boston, MA 02114  
617-227-3240

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TIMOTHY P. KEARNEY, Jr.  
Plaintiff,

v.

THE MAY DEPARTMENT STORES  
a.k.a FILENE'S, GREGORY  
JACKSON, ERIC VAN DER VALK  
AND SHAWN TUBMAN  
Defendants

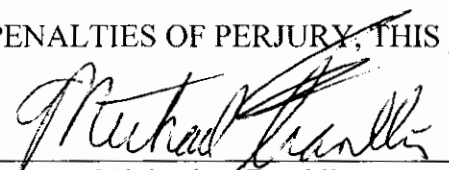
Civil Action No. 05-10095-RWZ

**AFFIDAVIT OF ATTORNEY MICHAEL E. FRANKLIN**

I, Michael E. Franklin, being duly sworn, do hereby depose and certify as follows:

1. I am legal counsel to the defendant, The May Department Stores Company a.k.a Filene's, Gregory Jackson, Eric Van Der Valk and Shawn Tubman. I submit this affidavit in support of the accompanying Motion for Admission Pro Hac Vice.
2. I am a member of the bar in good standing in every jurisdiction where I have been admitted to practice. Specifically, I am a member in good standing of the bar of the States of Illinois and Missouri, the United States District Court for the Southern District of Illinois, and the United States District Court for the Eastern District of Missouri.
3. There are no disciplinary actions pending against me as a member of the bar in any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts and, if admitted to practice before this court, will conduct myself in accordance with the rules of this court.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY, THIS \_\_\_\_ DAY OF MAY, 2005.

  
Attorney Michael E. Franklin

UNITED STATES DISTRICT COURT

Eastern

DISTRICT OF

Missouri

**CERTIFICATE OF  
GOOD STANDING**

I, James G. Woodward, *Clerk of this Court,*

*certify that* Michael E. Franklin, *Bar #* 102465,

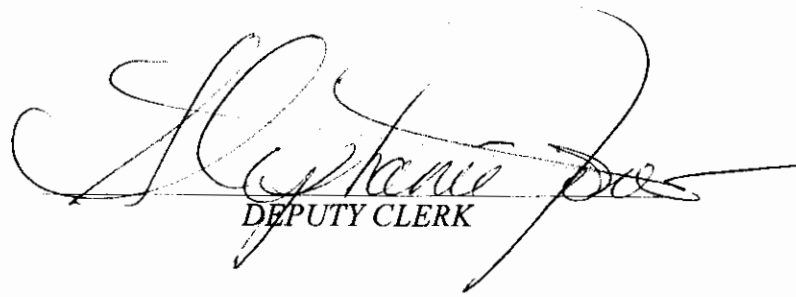
*was duly admitted to practice in this Court on*

January 12, 2001, *and is in good standing*  
*DATE*

*as a member of the Bar of this Court.*

*Dated at* St. Louis, Missouri *on* May 20, 2005.  
*LOCATION DATE*

  
CLERK

  
DEPUTY CLERK